



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

**MAY 16 2016**

CERTIFIED MAIL 7014 0150 0000 2452 5356 RETURN RECEIPT REQUESTED

Mr. Paul Wachtendorf  
Site Director  
INEOS Nitriles USA LLC - Green Lake Complex  
P.O. Box 659  
Port Lavaca, TX 77979

RE: INEOS Nitriles USA LLC (INEOS) - Green Lake Complex  
Final UIC Petition Reissuance Approval Decision for Wells WDW-163, 164, and 165

Dear Mr. Wachtendorf:

Effective the date of this letter, the Environmental Protection Agency (EPA) approves INEOS's request for the reissuance of an exemption to the land disposal restrictions for existing wells WDW-163, WDW-164, and WDW-165.

The land disposal restrictions prohibit the injection of hazardous waste unless a petitioner can demonstrate to EPA, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the wastes remain hazardous. The land disposal restrictions for injection wells codified in 40 CFR Part 148 provide the standards and procedures by which petitions to dispose of an otherwise prohibited waste by injection will be reviewed and by which exemptions pursuant to these petitions will be granted or denied. Part 148 also provides for the reissuance of an exemption if the reissuance complies with the above-mentioned standards.

A letter dated March 8, 2016, informed INEOS that EPA was proposing to approve its petition reissuance request for an exemption to the land disposal restrictions. The public comment period associated with this decision began on March 16, 2016, and closed on May 2, 2016. No comments were received.

Based on a detailed technical review of the petition reissuance request and support documents, EPA has determined that this information for the INEOS site meets the requirements of 40 CFR Part 148 by demonstrating that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for 10,000 years.

The following are conditions of this land disposal restrictions exemption reissuance.

Petition Reissuance Approval Conditions

This approval of a petition for reissuance of an exemption to allow the injection of restricted hazardous wastes is subject to the following conditions, which are necessary to assure that the standard in 40 CFR §148.20(a) is met. Noncompliance with any of these conditions is grounds for termination of the exemption in accordance with 40 CFR §148.24(a)(1). This exemption is applicable to the INEOS injection Wells, WDW-163, WDW-164, and WDW-165, located at the Green Lake Complex in Port Lavaca, Texas.

1. Injection of restricted waste shall be limited to the following injection zone:

<u>Well</u>	<u>Depth of Injection Zone</u>
WDW-163	4725' - 8250' <sup>1</sup>
WDW-164	4715' - 8250' <sup>2</sup>
WDW-165	4715' - 8250' <sup>3</sup>

(<sup>1</sup>WDW-163 Injection Zone depths are referenced to Kelly Bushing (KB) depths on Well 163's Dual Induction-SFL Compensated Neutron – Formation Density Log dated 10/24/83. Note that the depth for the bottom of the injection zone is approximate for WDW-163 as the well's total depth is above the specified depths.)

<sup>2</sup> WDW-164 Injection Zone depths are referenced to KB depths on WDW-164's Dual Induction-SFL Compensated Neutron – Formation Density Log dated 1/17/81.

<sup>3</sup> WDW-165 Injection Zone depths are referenced to KB depths on WDW-165's Dual Induction-SFL Compensated Neutron – Formation density Log dated 3/8/81. Note that the depth for the bottom of the injection zone is approximate for WDW-165 as the well's total depth is above the specified depth.)

The injection intervals shall be defined by the following correlative log depths:

<u>Well</u>	<u>Injection Intervals</u>	<u>Depth of Injection Interval</u>
WDW-163	Upper Frio Sand	5370' - 5710' <sup>1</sup>
WDW-164	Middle and Lower Frio Sands	6595' - 8005' <sup>2</sup>
WDW-165	Middle and Lower Frio Sands	6600' - 8005' <sup>3</sup>

(<sup>1</sup>WDW-163 Upper Frio Sand Injection Interval depths are referenced to Kelly Bushing (KB) depths on Well 163's Dual Induction-SFL Compensated Neutron – Formation Density Log dated 10/24/83. Note that the depth for the bottom of the injection zone is approximate for WDW-163 as the well's total depth is above the specified depths.)

<sup>2</sup> WDW-164 Middle and Lower Frio Sands Injection Interval depths are referenced to KB depths on WDW-164's Dual Induction-SFL Compensated Neutron – Formation Density Log dated 1/17/81.

<sup>3</sup> WDW-165 Middle and Lower Frio Sands Injection Interval depths are referenced to KB depths on WDW-165's Dual Induction-SFL Compensated Neutron – Formation density Log dated 3/8/81. Note that the depth for the bottom of the injection interval is approximate for WDW-165 as the well's total depth is above the specified depth.)

2. For Wells WDW-163, WDW-164, and WDW-165, the cumulative monthly volume injected into each of the injection intervals shall not exceed that calculated as follows:

Upper Frio Sand: (500 gpm)(1440 minutes/day)(number of days in that month) for WDW-163

Middle and Lower Frio Sands: (500 gpm)(1440 minutes/day)(number of days in that month) for WDW-164 and WDW-165 combined

3. The facility shall cease injection into WDW-163, WDW-164, and WDW-165 by December 31, 2017.